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**APR 10 2002**

In re Application of  
Francois Mach  
Application No. 09/664,871  
Filed: September 19, 2000  
Attorney Docket No.  
07/05/2001

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**OFFICE OF PETITIONS**

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 2, 2002, to revive the above-identified application.

This above-identified application became abandoned for failure to timely and properly reply to the non-final Office Action mailed June 1, 2001, which set a shortened statutory period for reply of one month. No extensions of time under 37 CFR 1.136(a) were obtained. Accordingly, the above identified application became abandoned on September 30, 2000. A Notice of Abandonment was subsequently mailed on April 24, 2001.

Having found that all requirements for the filing of a grantable petition under 37 CFR §1.137(b) have been met, this Petition is hereby **Granted**.

A five (5) month extension of time was requested. However, pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the five (5) month extension of time submitted with this Petition on January 2, 2002, was subsequent to the maximum period obtainable for reply<sup>1</sup>, this fee is unnecessary and has been refunded to deposit account, number 50-0311, as per the Petition for extension of time filed January 2, 2002.


This application is being forwarded to Technology Center AU 1617 for continued examination in due course.

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<sup>1</sup> A five (5) month extension would extend the maximum period obtainable for a reply to December 1, 2001. As the instant Petition was filed on January 2, 2002, the extension request is outside of the maximum period obtainable for a reply.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.



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